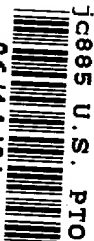


06/14/01



1033 U.S. PTO

BOX PATENT APPLICATION

Attorney Docket No.: 23138A-T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

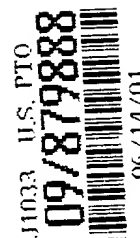
STEINER, et al.

Serial No. Not yet assigned

Filed: June 14, 2001

Title: **HETEROCYCLIC ESTER AND AMIDE HAIR GROWTH COMPOSITIONS AND USES**

(Divisional of U.S. Patent Application No. 09/089,377, filed June 3, 1998)



1033 U.S. PTO

TRANSMITTAL LETTER

The Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Filing Form For Divisional U.S. Patent Application;
- (3) Divisional application including:
 - 62 Pages Application Consisting of:
 - 38 Pages of Textual Specification
 - 18 Pages of 32 Claims
 - 1 page Abstract of the Disclosure
 - 5 sheets of drawings
- (4) Preliminary Amendment
- (5) Copy of executed Declaration and Assignment with cover sheet
- (6) Information Disclosure Statement
- (7) PTO Form-1449
- (8) Check No. 14912 \$710.00 for filing fee
- (9) Postcard for early notification of serial number.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By:

Gary M. Nath
Registration No. 26,965
Todd L. Juneau
Registration No. 40,669
Lee C. Heiman
Registration No. 41,827
Customer No. 20529

Date: June 14, 2001

NATH & ASSOCIATES PLLC

1030 15th Street, NW - 6th Floor

Washington, D.C. 20005

GMN/TLJ/LCH/ls:DIVappl.trans

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

STEINER, et al.

Serial No.: Not yet assigned

Filing Date: June 14, 2001

Title: **HETEROCYCLIC ESTER AND AMIDE HAIR GROWTH COMPOSITIONS AND
USES**

FILING FORM

FOR DIVISIONAL U.S. PATENT APPLICATION

Commissioner of Patents
Washington, D.C. 20231

Sir:

1. This is a Request for filing a
 ___ Continuation Application under:
 ___ 37 CFR § 1.53(b)(1)
 x Divisional Application under:
 x 37 CFR § 1.53(b)(1)
 ___ Continuation-In-Part (CIP) application
 ___ 37 CFR § 1.53(b)(2)

of **prior** ("parent") application:
 Serial No. 09/089,377
 Filed: June 3, 1998
 Entitled: **HETEROCYCLIC ESTER AND AMIDE HAIR GROWTH
COMPOSITIONS AND USES**
2. X *Enclosed for application under 37 CFR §§ 1.53(b) are:
 57 pages of text (specification, claims, abstract)
 32 claims
 5 sheets of drawings

3. The **present** application names the following inventor(s):

Joseph P. STEINER and Gregory S. HAMILTON

— (37 CFR § 1.53--"CIP") The above-identified application (in which no payment of the Issue Fee, abandonment of or termination of proceedings has occurred) is hereby expressly abandoned as of the filing date of this new application.

The **Total Filing Fee** is calculated as follows:

— Enter the Amendment filed in the prior patent application on _____ prior to calculating the filing fee.

XX Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

	(Col 1)		(Col 2)	SMALL ENTITY		OR	NON-SMALL ENTITY	
	NUMBER OF CLAIMS FILED		NUMBER OF EXTRA CLAIMS	RATE	FEE		RATE	FEE
TOTAL	16	minus 20	0	x9=	0		x18=	0
INDEP	1	minus 3	0	x40=	0		x80=	0
BASE FILING FEE:				+355=	0		+710=	710
<u>xx</u> Multiple Dependent Claims				+130=	0		+270=	0
TOTAL					0	OR TOTAL		710

— Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:
 — was filed in the parent application, and small entity status is still proper and desired (Rules 60, 62 only);
 — is filed herewith;
 — will be filed at a later date.

X A check including the above-indicated filing fee is enclosed.

— A Petition for Extension of Time (to keep the parent case pending) is enclosed, with a check including the \$ extension fee.

☐ Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.

☐ No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53, together with a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR § 1.16(e).

☒ The prior application is assigned of record to Guilford Pharmaceuticals, 6611 Tributary Street, Baltimore, Maryland 21224, the Assignment being recorded on July 27, 1998, on Reel 9346, Frame(s) 0610, which in turn assigned the application to GPI NIL Holdings, Inc., 222 Delaware Avenue, Wilmington, Delaware 19899, the Assignment being recorded on July 30, 1998, on Reel 9355, Frame(s) 0466.

☐ An original executed Declaration is enclosed.

☒ Amend the specification by replacing the first sentence with the following:

--This application is a divisional of U.S. Patent Application No. 09/089,377, filed on June 3, 1998--

☐ Foreign priority under 35 U.S.C. § 119 of _____ application(s) _____, filed _____, is hereby claimed. The certified priority paper(s):

☐ was/were filed in the parent case;

☐ is/are enclosed herewith;

☐ will be submitted at a later date.

☒ The power of attorney in the prior application is to Gary M. Nath, Registration No. 26,965, Customer No. 20529.

☒ The power appears in the original papers in the prior application.

X Address all future communications to:

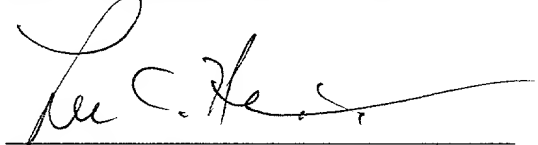
Gary M. Nath
NATH & ASSOCIATES PLLC
1030 15th Street, N.W.- 6th Floor
Washington, D.C. 20005

____ If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

X The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR §§ 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

Respectfully submitted,

NATH & ASSOCIATES PLLC



Date: June 14, 2001

Gary M. Nath
Reg. No. 26,965
Todd L. Juneau
Reg. No. 40,669
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